

P E N N S Y L V A N I A
STATE BOARD OF
MEDICINE
NEWSLETTER

SUMMER 2007



COMMONWEALTH
OF PENNSYLVANIA

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Governor

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Governor's Newsletter

Sign up now at www.governor.state.pa.us
to receive the weekly e-newsletter from
Governor Rendell on important issues facing Pennsylvania.

Governor Rendell's Prescription for Pennsylvania

Since 2000, the cost of family health insurance premiums has increased nearly 76 percent, while the increase in wages has increased just more than 13 percent. During the same timeframe, inflation has grown 17 percent. If health care premiums continue to rise at six times the rate of inflation or wages, the health care system in Pennsylvania as we know it will disappear. The problem affects every Pennsylvanian, every Pennsylvania business and every Pennsylvania taxpayer.

There are also 767,000 uninsured adults and 133,000 uninsured children in Pennsylvania and just because they are uninsured doesn't mean they don't get sick and need health care services. Unfortunately, they often receive those services in very expensive emergency rooms because they have no where else to turn. Ultimately, we all pay for those services and it drives up the cost of health insurance for everyone. In fact, 6.5 percent of every Pennsylvanian's health insurance premium goes toward covering the cost of the uninsured. In addition, charges in 2005 for services resulting from unnecessary and avoidable health care costs, including hospital acquired infections, medical errors and avoidable hospitalizations for chronic disease totaled \$7.6 billion.

Governor Edward G. Rendell has proposed a health care reform plan that will Cover All Pennsylvanians, Cover All Kids and comprehensively reform and repair our broken health care system with an aggressive Prescription for Pennsylvania. The administration asks you to tell your lawmaker that you want them to vote yes on the governor's proposals.

The Prescription for Pennsylvania is a set of integrated, achievable, practical strategies focused on driving down costs, providing access to universal coverage, improving the quality of health care and driving down the inefficiencies of the health care system. Its many initiatives will drive major costs out of the system, while improving efficiency of delivery of services and quality. These are proven private sector approaches modeled on proven private sector solutions for cost containment and quality improvement. Both employers and individuals will benefit.

In July 2006, the first piece of the Governor's Prescription for Pennsylvania – Cover All Kids – was passed by the legislature. Cover All Kids ensures that affordable health insurance is available for all our children. With final federal approval received, Pennsylvania becomes one of only a few states with such a comprehensive program.

Now attention turns to uninsured adults. The Governor's Rx for PA proposal provides private sector access to affordable health insurance for uninsured adults through Cover All Pennsylvanians (CAP). But that alone will not affect the cost of health care for the remaining 11.6 million Pennsylvanians. That's why CAP is only one piece of the Prescription for Pennsylvania. And that's why the entire plan must be adopted.

Prescription for Pennsylvania puts forward common sense, workable initiatives that people are demanding. By pursuing this realistic and achievable private-sector plan, we can save billions of dollars. More importantly, we can give our working families a brighter and healthier future.

For more information on the Governor's plan, go to RxforPA.com.

Governor Rendell Signs Scope of Practice Bills Into Law

On July 20, 2007, Governor Edward G. Rendell signed six bills into law that address scope of practice. These bills were the first pieces of the governor's innovative Prescription for Pennsylvania package, designed to improve Pennsylvanians' access to health care, and the quality of the care they receive.

HB 1251 (now Act 46) amended the Medical Practice Act and doubled the supervisory ratio of physician assistants to supervising physicians to four to one. The legislation permitted a waiver of that limit for good cause, as determined by the State Board of Medicine. The bill also allows a physician assistant to be employed by a health care facility licensed under the Health Care Facilities Act, who would work under the supervision and direction of an approved physician or group of such physicians, provided one physician is designated as having the primary responsibility for supervising and directing the physician assistant. However, in health care facilities, the attending physician of record for a particular patient would have the primary responsibility for supervising the physician assistant providing services to that attending physician's patient.

HB 1252 (Act 47) amended the Osteopathic Medical Practice Act and removed the restriction prohibiting a physician from supervising more than two physician assistants. It allows a physician to supervise no more than four physician assistants. The bill also allows a physician assistant in a medical facility to be under the supervision and direction of a physician or a physician group provided that the physician supervises no more than four physician assistants at any time. A physician may apply for a waiver to employ more than four physician assistants at any time for good cause, as determined by the board. In medical facilities, the attending physician of record for a particular patient acts as the primary supervising physician for the physician assistant while that patient is under the care of the attending physician.

Three other bills — **HB 1253** (Act 48), **HB 1254** (Act 49) and **HB 1255** (Act 50) amended the Professional Nursing Law; **SB 455** (Act 51) impacts Board of Dentistry licensees.

The Role of the Commissioner on the Board

By Basil Merenda, Commissioner, Bureau of Occupational and Professional Affairs

The Bureau of Professional and Occupational Affairs (BPOA) touches the lives of millions of Pennsylvanians each day. We protect the health, safety and welfare of the public from fraudulent and unethical practitioners by administering professional licensing to physicians and cosmetologists to accountants and funeral directors. In addition, the bureau provides administrative and legal support to 27 professional and occupational licensing boards and commissions.

As commissioner of the BPOA, I am responsible for administering the commonwealth's licensing boards, sitting as a voting member on disciplinary cases and policy matters for 25 of the 27 boards and signing all licenses issued by the BPOA.

My administrative duties include working with the deputy commissioner to make "the trains run on time." In BPOA's case, it means making sure license renewals, applications and inquiries are properly handled by our staff. It also involves making sure that, where appropriate, reciprocal licenses requested from out-of-state individuals are properly reviewed. BPOA is also required to conduct reviews of education programs for some boards.

My duties as a voting member on 25 of the 27 licensing boards are the same duties and obligations that the professional and public members have as part of their service on our licensure boards. I act as a judge, along with the other board members, on disciplinary hearings. I participate with the other board members in the drafting and enactment of regulations, rules and other policy initiatives. In addition, I have the responsibility of coordinating policy matters of all 27 boards for Governor Edward G. Rendell.

I truly believe the most important thing I can do for you is to provide you with professional service – and that is my goal.

When Governor Rendell appointed me BPOA commissioner, he told me to make BPOA and the commonwealth's 27 licensing boards more accessible, responsive and accountable to the legislature, the licensees and the public we are sworn to protect. My pledge to you is that I, as commissioner, am working to carry out Governor Rendell's charge with intelligence, vigor and effectiveness.

If I can be of any assistance, please do not hesitate to reach out and contact my office at any time.

Respiratory Care Continuing Education Regulations Finalized

The regulations promulgated in compliance with this revision to the law requires respiratory care practitioners to attend and complete 20 hours of mandatory continuing education units during each biennial certificate period. Under the regulations, course attendance at programs which are approved or offered by the American Association for Respiratory Care (AARC), American Medical Association (AMA) Category 1, AOA Category 1A or 1B, or the Canadian Society of Respiratory Therapists (CSRT) qualify for credit.

The regulations allow for a combination of traditional and nontraditional continuing education methods. Traditional education is considered "live" interaction with a presenter either in a classroom setting, a real-time Webcast or a teleconference. Nontraditional education would include pre-recorded presentations, Internet-based presentations or journal review. No more than 50 percent of the continuing education hours may be obtained in a nontraditional manner. Of the 20 total credits, one continuing education hour is required in patient safety, and one continuing education hour is required in medical ethics. For further information, visit The Pennsylvania Society for Respiratory Care's Web site at www.psrc.net.

Upcoming 2007 Meeting Dates

- Sept. 25
- Oct. 23
- Nov. 27
- Dec. 18

Dates are subject to change.

Check www.dos.state.pa.us/med for updated information.

Facts of Licensure

The seemingly mere piece of paper that we receive to practice our respective medical fields in the commonwealth is more than just a piece of paper. The license or certificate that health care practitioners have in their possession is authorization to practice your chosen profession and carries professional responsibilities.

The license entitles us to work in our respective fields, whether it is as a physician, physician assistant, acupuncturist, respiratory therapist, nurse midwife, or athletic trainer, as well as financially rewarded.

The Board of Medicine is charged with regulating numerous health care professionals. That responsibility includes the weighty duty of imposing sanctions when one of our colleagues engages in prohibited conduct. Below are simple facts that, when kept in mind, may help us avoid the embarrassment of seeing our name or the name of a colleague listed in the disciplinary action section of the newsletter.

License

Once licensed by the board, a licensee possesses a property interest in their license or certificate. That property interest remains unless extinguished by board action or death. Even misconduct unrelated to the practice of one's profession may impact the license. In the instance that a professional commits a crime unrelated to the practice, should the criminal conduct be serious enough, disciplinary action may result. If one carries licenses from multiple states, each state may take disciplinary action for a licensee's misconduct in any one of those states. Additionally, because the interest in the license is a property interest that continues even when the license is inactive, misconduct that calls for a sanction may result in discipline on a license even when a licensee had previously placed the license on inactive status and had moved to another jurisdiction.

License Renewal

Licenses and certificates are renewed every two years, or biennially. The expiration date is Dec. 31 of every even year. Usually in October, you receive notification to renew your license. If a licensee has moved since the last time she renewed, however, it is her responsibility to notify the commonwealth of her new address. The state will send the renewal form to the last listed address for her. Just as she would notify the commonwealth of a new address for your driver's license, and the postal service so that she may receive her professional journals, and other entities that allow her to continue to function as a professional,

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Carol Rose, M.D. Appointed to Board

Carol E. Rose, M.D., was appointed to the State Board of Medicine. She is a graduate of the University of Miami School of Medicine, completed her anesthesiology residency at Mercy Hospital of Pittsburgh and is board certified in anesthesiology. She is currently an assistant professor of anesthesiology at the University of Pittsburgh School of Medicine.

Carol has served as the president of the Pennsylvania Medical Society (PMS) and twice served as president of the Pennsylvania Society of Anesthesiologists. She currently is an active board member of the Allegheny County Medical Society, and a member of the delegation from the American Society of Anesthesiologists to the American Medical Association. Her strong interest in patient safety is evident in her membership on the patient safety committee of UPMC, the patient safety forum convened by the PMS, the PMS Council on Patient Advocacy, and her multiple talks to the physician community on patient safety issues.

Dr. Rose is strongly committed to the work of the State Board of Medicine and its effort to strengthen the professionalism of the practice of medicine in the commonwealth.

Reminder...

Renew Your License Online

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users need the following information:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address
- Continuing Education information

Go to the Department's Web site at
www.dos.state.pa.us

Click on **RENEW** a Professional License
(www.myLicense.state.pa.us).

Then simply follow the instructions
to renew your license online.

Physicians Planning for Retirement

Physicians who are planning for retirement have a number of options available to them and a number of obligations to fulfill.

Inactive Status

A physician may choose to retire completely from practice, which means that the physician has determined that he will not engage in any aspect of the practice of medicine. If the physician chooses this option, he may ask the board to place his license on **inactive status**. If the physician's license is on inactive status, he need not maintain professional liability insurance, meet continuing education requirements or pay the biennial license renewal fee. Of course, under inactive status, the physician may not write prescriptions — not even for himself or his family.

Active Retired Status

A physician who wishes to continue to write prescriptions for himself or his immediate family should place his license on **active retired status**. When he notifies the board's administrative staff that he wishes to place his license on active retired status, he retains authority to prescribe for himself and his family. He is also excused from maintaining professional liability insurance and meeting continuing education requirements. He will, however, be required to pay the biennial license renewal fee.

Volunteer License

As an active or inactive physician, he may wish to volunteer his services at approved charitable health clinics. Physicians who wish to volunteer their time in such clinics may obtain a volunteer license. There is no charge for the volunteer license and he is excused from professional liability insurance requirements, and is able to prescribe for himself and his family. Volunteer license holders are required to complete continuing medical education (CME).

Physicians Leaving Practices – What Are The Obligations?

A physician leaving his practice has certain obligations to patients, as explained below.

Giving Sufficient Notice of Departure

Physicians may not abandon their patients. Abandonment occurs when a physician withdraws her services after a physician-patient relationship has been established, by failing to give notice to the patient of the physician's intention to withdraw in sufficient time to allow the patient to obtain necessary medical care. Abandonment also occurs when a physician leaves the employment of a group practice, hospital, clinic or other health care facility without giving reasonable notice, and under circumstances that seriously impair the delivery of medical care to patients.

Medical Records

Physicians have an obligation to maintain their patients' medical records. A physician shall retain a patient's medical record for at **least seven years** from the date of the last medical service for which a record entry is required. The medical record for a minor patient shall be retained until one year after the minor reaches majority, even if this means that the physician retains the record for a period of more than seven years. Accordingly, prior to leaving practice, the physician needs to make arrangements for the continued maintenance and management of her patient's records.

Patient Access to Records

Under statute and regulation, patients have rights to access and request copies of their medical records. It is unlawful to fail to make available to the patient or patient's designee, the patient medical record or a copy of the patient medical record that is in the possession or under the control of the physician. Reasonable fees may be charged for making available copies, forms or reports. Prior payment for professional services may not be required as a condition for making the records available. This does not apply to fees charged for reports.

Insurance

Do you have claims made or occurrence insurance? If you have "claims made insurance," you probably need to purchase additional insurance before leaving practice. Such insurance is sometimes referred in the vernacular as "tail"

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Summary of Key Physician Assistant Regulatory Changes

Regulations have been promulgated pertaining to physician assistants (PAs) which will enable medical doctors to better utilize the talents of PAs more consistent with their level of training, and reflective of the current state of medical practice in the commonwealth. In the current regulations, the PA supervisor is required to see the patient every third visit, or at least once a year. The new regulation requires the physician to see the patient based upon sound medical judgment and patient request.

New language regarding orders states that the physician can delegate prescribing, dispensing and administration of drugs and therapeutic devices to the PA if the drug or device is permitted under the written agreement. The written agreement need not be re-filed with the board under the revised regulations. Only changes that reflect a change in how a physician is supervised, the addition of Schedule II changes, a change in supervising physicians, or in how the PA is utilized, would necessitate a re-filing. This can be done by completing a written agreement change form, which can be downloaded from the board's Web site.

One of the most significant changes was the move to a negative formulary. This board and the Board of Pharmacy remind PAs of the requirement to provide a copy of the written agreement when requested, as well as reminding PAs to ensure that the supervising physician's name and license number appear on the prescription blank. The regulations seek to increase the flexibility in utilization of PAs.

Board Takes Disciplinary Action in Use of Medical Lasers

Lasers that are used on human tissue for any purpose, including the removal of hair, are classified by the Food and Drug Administration as medical lasers. Because of the nature and risk of the procedure, hair removal should properly be considered a medical procedure. Additionally, because the procedure could remove skin lesions that are symptomatic of dangerous medical conditions (e.g., a carcinoma) and/or be contraindicated for patients with a particular condition, a medical examination by a physician competent in dermatology is recommended prior to performance of the procedure. If the procedure were to be performed by someone other than a physician, it would, by necessity, be a delegated medical service. The physician would retain responsibility for the performance of the procedure.

The board has taken action against a dentist who offered laser treatment for hair removal at his "spa." The patient received second-degree burns during the hair removal procedure — performed by an employee of the dentist — which required treatment at a hospital. A civil penalty for the unlicensed practice of medicine was assessed. A case was also recently reported in New York of an unlicensed individual whose use of a laser for hair removal led to the death of a patient.

If there are laser centers and spas providing services without proper prior medical examination and physician involvement, they would likely be susceptible to claims of unauthorized practice of medicine. Potential criminal action would also be available under the acts either through the attorney general, local district attorney, or by a board prosecutor if delegation is received from the attorney general.

Physicians Retirement

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insurance. Before you leave practice, you should discuss your insurance needs with your insurer and obtain the appropriate coverage.

Regardless of whether you are retiring or moving on to another form of practice, remember you became a physician to benefit your patients. Keep that in mind as you make your plans. Work with your colleagues so that issues that arise during such transition periods can be managed with the patients' interests in the forefront.

Patient Safety Authority: Facilitating Patient Safety and Quality Improvement

**By Alan B.K. Rabinowitz, Administrator
Patient Safety Authority**

Alan Rabinowitz was appointed the first administrator of the Pennsylvania Patient Safety Authority in 2002. In that capacity, he oversees an independent state agency with a \$4 million annual budget and a five-year, \$10.5 million data collection and analysis contract. He oversaw the development and implementation of the Pennsylvania Patient Safety Reporting System, a confidential Web-based system that networks 460 healthcare facilities, and is a frequent speaker on issues related to patient safety and quality improvement. Prior to becoming administrator of the Patient Safety Authority, Rabinowitz spent more than seven years as chief of staff for the Pennsylvania Department of Health.

In a previously published article, I described the genesis of the Pennsylvania Patient Safety Authority and the basic tenets of patient safety, most notably the need for a “culture of safety” that encourages the full and open disclosure of adverse events in an environment of learning and quality improvement. See “The Pennsylvania Patient Safety Reporting System: A View After the First Year,” State Board of Medicine Newsletter (Winter 2006).

By way of background, the authority was established under Act 13 of 2002 (the Medical Care and Reduction of Error Act, commonly called “Mcare”). The authority is a non-regulatory, independent state agency charged with taking steps to reduce and eliminate medical errors by identifying problems and recommending solutions that promote patient safety. Under the act, all Pennsylvania hospitals, ambulatory surgical facilities and birthing centers (currently numbering almost 460) are required to submit reports of what the act defines as serious events and incidents. Serious events are adverse events that result in patient harm and incidents are potential adverse events, or near-misses, that could have but did not result in patient harm. Act 30 of 2006 extended reporting requirements to certain abortion facilities; this mandate went into effect Jan. 1, 2007.

In June 2004, the authority implemented the Pennsylvania Patient Safety Reporting System (PA-PSRS, pronounced “PAY-sirs”), making Pennsylvania the first — and still the only — state in the nation to mandate the reporting of both adverse events and near-misses. PA-PSRS is a secure, Web-based reporting and analytical tool that provides real-time feedback to facilities about their own reports. All information submitted is confidential and non-discoverable, and the system does not collect any identifiable patient or provider information. All reports are submitted through a facility’s internal patient safety protocols, not by individual providers, and healthcare workers who identify reportable events have whistleblower protections. With the exception of limited statewide aggregate data, facilities only have access to their own data and cannot access data from other facilities.

Because the PA-PSRS program is built upon a culture of learning, authority staff analyze all reports to identify trends or situations of immediate jeopardy and recommend steps that providers and facilities can take to enhance patient safety and reduce the potential for patient harm. The staff includes a professional team of clinicians, headed by a trauma surgeon, whose members have education and experience in medicine, nursing, law, pharmacy, biomedical engineering, health administration and risk management, among other fields. They also have access to a large pool of subject matter experts in virtually every medical specialty.

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Facts of Licensure

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her license should be one of her first priorities. It allows her to make a living.

The commonwealth allows two options. A licensee can renew via the Internet by going to the Web site listed on the renewal form, or request a paper renewal form.

It is of the utmost importance for a licensee to truthfully answer all of the questions posed on the respective application. Applications are checked by the board staff. Any answers that raise red flags will have to be clarified in writing.

The deadline to renew a license or certificate is Dec. 31. Individuals who renew late are subject to late renewal fees as well as potential disciplinary action, if the licensee practices while the license is expired. It is the personal professional responsibility of each licensee to renew their license if they are going to practice. This is so even if the licensee's employer has agreed to pay the renewal fees.

Boundary Violations

A license or certificate empowers licensees to take care of their patients that rely on the professional's expertise. If a licensee contemplates having a relationship with a patient outside of the normal practitioner-patient relationship, it is important to realize that relationship could result in scrutiny. Be careful of the professional boundaries. The board has regulations pertaining to sexual boundary issues. Other boundary violations — such as using one's professional relationship to promote or enter into financial business relationships — can be unethical if the professional uses the professional relationship to exploit the patient.

Continuing Education

Continuing education requirements have been instituted for most practitioners. It is important to fulfill the requirements that pertain to the licensee's scope of practice. Review the board regulations in place regarding those requirements. Continuing education is monitored through an audit process. If a licensee is audited, she will be required to provide documentation to support your claimed continuing education. The board's regulations identify the type of documentation that is acceptable. Licensees must ensure that the specific number and type of credits are completed. Requests for hardship waivers or extensions may be submitted for board consideration. Licensees must provide justification for the waiver, along with supporting documentation early in the renewal process so that, if denied, the licensee will have time to complete the continuing education. Acceptable hardships include overseas military service or documented serious illness or injury.

MCARE Act

It is extremely important, under the MCARE Act, for physicians to report any civil professional negligence actions filed against them. If the board determines that a licensee has been named in a civil action and has not reported it, the licensee may be penalized for non-reporting.

National Practitioners Data Bank

Federal law requires the board to report sanctions it imposes to the National Practitioner Data Bank (NPDB). The NPDB maintains record of public reprimands, probation or restrictions, suspensions and revocations. Other licensing authorities, health care systems, health care facilities, and employers access the NPDB in the credentialing and employment review process. As stated before, holding multiple licenses in multiple states can result in one sanction leading to a multiple sanctions nationwide.

Questions

The commonwealth has readily available copies of the Medical Practice Act, Act 112 of 1985, and the Pennsylvania Code, Title 49 Professional and Vocational Standards, Chapters 16, 17, and 18. They are available on the Web at www.dos.state.pa.us, as well as for the asking. Board staff endeavors to be as helpful as possible answering questions. Staff is limited in its authority in answering certain questions. They may not provide private legal advice or pre-authorize or pre-approve conduct. They do, however, attempt to be collegial in providing information. If any licensee has particularly complex questions, it is advisable to seek professional advice from private counsel.

ATTENTION ATHLETIC TRAINERS

The new rules and regulations of the State Board of Medicine and State Board of Osteopathic Medicine require athletic trainers to maintain current certification with the Board of Certification, Inc. (BOC) for athletic trainers to be eligible for biennial renewal.

For more information regarding this certification, please refer to the BOC Web site: www.bocatc.org

Internet Prescribing

by Dr. Annette McDaniel-Turner

Changes to modern technology have resulted in potential changes, both good and bad, to the practice of medicine. Some physicians and patients have requested guidance from the board as to the appropriate use of technology that allows interaction between physicians and patients from a distance. This article seeks to provide informal guidance to physicians regarding prescribing of medication for patients unknown to the physician and prior to the completion of an appropriate medical interview and exam.

Peer review medical literature, articles on ethics and regulatory decisions, both here in the commonwealth and among our sister states, indicate clearly that there must be an appropriate relationship between the patient and the physician before a prescription is written and dispensed. Patient safety dictates that prior to providing treatment, including the issuance of a prescription, a documented patient evaluation, including history and physical examination, adequate to establish diagnoses and identify underlying conditions and/or contraindications to the treatment recommended or provided must be obtained.

Prescribing drugs to individuals the physician has never met, based solely on answers to a set of questions, as is common in Internet prescribing, is inappropriate and unprofessional. An online or telephone evaluation by questionnaire is inadequate for the initial evaluation or for the personal follow-up evaluation. Prescribing drugs under such

circumstances, without appropriate documentation of a history and physical examination, a diagnosis, and a formulated therapeutic plan (part of which might be a prescription) is considered to be unprofessional by medical ethicists and healthcare regulators.

Likewise, advertising or offering by a physician, or permitting the physician's name or license to be used in such advertisement, to provide any prescription in a manner that would violate the above guidelines is unprofessional.

Adequate physical examination in the context of a legitimate physician-patient relationship cannot take place without an initial face-to-face encounter with the patient. Such examinations are necessary to:

- verify the person requesting the medication is who they claim to be;
- establish a diagnosis through the use of acceptable medical practices, such as patient history, mental status exam, physical exam, and appropriate diagnostic and laboratory testing by the prescribing physician;
- discuss with the patient the diagnosis and the evidence for it, and the risks and benefits of various treatment options; and
- ensure availability of the physician or coverage for the patient for appropriate follow-up care,

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Right-to-Know Act and Home Addresses

The Bureau of Professional and Occupational Affairs is sensitive to its licensees' concerns about personal privacy. However, the Pennsylvania Right-to-Know Act, 65 P.S. § 66.1, mandates release of information contained in a "public record" stored by that agency if a member of the public requests it.

The bureau will take all reasonable steps to safeguard personal information contained in your licensure records. We realize that many of you use your home address on the licensure records maintained by the bureau. However, given the uncertainty over what the Right-to-Know Act requires, neither the bureau nor the board that issues your license can guarantee the confidentiality of the address shown on your licensing record. Therefore, we recommend that if you have a personal security concern, you might want to consider what many of our licensees have already done: use a business address or box number as the official address on licensure records.

Also, with the License 2000 computer system, you may indicate to the board an address for release to the public that may be different from your home address.

To further protect your privacy and identity, the bureau will only accept a request to change a licensee's address if it is submitted in writing and includes the licensee's Social Security number, license number and the old and new addresses.

Internet Prescribing

Continued from previous page

including face-to-face encounters, as often as necessary to assure safe continuation of medication.

Accordingly, complete management of a patient by Internet, e-mail or other forms of electronic communication is inappropriate.

Prescribing for a patient whom the physician has not personally examined may be suitable under certain circumstances, including:

- 1) initial admission orders for newly hospitalized patients;
- 2) prescribing for a patient of another physician for whom the prescriber has taken call;
- 3) prescribing for a patient examined by a licensed advanced practice registered nurse, physician assistant, or other advanced practitioner authorized by law and supported by the physician;
- 4) continuing medication on a short-term basis for a new patient, prior to the patient's first appointment;
- 5) emergency situations where life or health of the patient is in imminent danger;
- 6) emergencies that constitute an immediate threat to the public health (e.g. empiric treatment of proplaxis to control an infectious disease outbreak);
- 7) under certain circumstances for treatment of contacts of sexually transmitted diseases, it is appropriate for a physician to give a prescription to the index patient with whom there is a physician-patient relationship for the sole purposes of treating a sex partner that has not been examined.

Established patients may not require a new history or physical for each new prescription, depending on the condition and needs of the patient.

Physicians should keep in mind that when they prescribe across state lines they are practicing medicine in at least two jurisdictions and are subject to regulation and discipline in all the jurisdictions involved. Physicians providing care and/or treatment to patients in the commonwealth must be licensed in Pennsylvania. The issuance of a prescription or dispensing of a medication to individuals who are physically located in the commonwealth constitutes the practice of medicine and may only be undertaken by physicians licensed

to practice medicine in this state. Thus, an out-of-state doctor using telemedicine or the Internet to diagnose and treat a patient residing in Pennsylvania must have a Pennsylvania license or be acting as a consultant to a Pennsylvania physician who has a bona fide physician-patient relationship with the patient.

Under the Medical Practice Act, a physician licensed in another state may serve in an advisory consulting role to a physician licensed to practice medicine in Pennsylvania who has a bona fide doctor-patient relationship with the patient where the Pennsylvania physician retains the ultimate authority and responsibility for the diagnosis and treatment in the care of the Pennsylvania patient.

**If You
Or A
Licensed Professional
You Know
Needs Help...**

**Call the Voluntary
Recovery Program**

**1-800-554-3428
or
717-783-4857**

**When a report of his or her
possible impairment
is received by the program,
the licensed professional
will be contacted
and offered
the opportunity
to participate.**

Facilitating Patient Safety and Quality Improvement

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The results of the analyses and research are published in the *Patient Safety Advisory*, a quarterly publication containing articles about actual reports submitted to PA-PSRS. Most important, articles include analysis of and lessons learned from those reports and evidence-based risk reduction strategies based on research in the clinical literature. Articles are peer-reviewed, often by both outside domain experts and facility managers.

As of Oct. 2006, the authority published 11 quarterly and four supplementary advisories containing more than 150 articles on actual adverse events and near-misses that took place within Pennsylvania facilities. The advisory is sent to managers and some clinicians in all Pennsylvania hospitals, ambulatory surgical facilities and birthing centers and to thousands of other providers, advocates and health industry personnel throughout the state and around the country. The advisory is also disseminated electronically through numerous national and international news services and LISTSERVs and is accessible on the authority's Web site. You are encouraged to subscribe to the advisory, at no cost, if you do not already receive it.

In addition to publishing the *Patient Safety Advisory*, the authority sponsors patient safety educational sessions and participates in numerous hospital-based meetings of medical and nursing staffs. More than 1000 physicians, nurses, pharmacists, risk managers, other healthcare workers and administrators have attended or participated in education and training sessions conducted or sponsored by the authority. Authority staff are also frequent speakers at professional association meetings and conferences. In the spring of 2006, the authority offered an intensive two-day training course on root cause analysis and cosponsored the annual Patient Safety Symposium with the Hospital and Healthsystem Association of Pennsylvania, which was attended by 400 clinicians and administrators. Similar events have been planned for 2007, including several courses on failure mode event analysis and other patient safety seminars targeted to individual practitioners and facility-based leadership, trustees and physician-champions.

As readers are aware, Pennsylvania law requires physicians to earn continuing medical education (CME) credits specifically related to patient safety. Many of the educational programs cited above qualified attendees for CMEs. The authority also partners with professional associations (including the Pennsylvania Medical Society and PA Physicians for the Protection of Specialty Care) to offer CME credits, based on specific advisory articles, through postings on those associations' Web sites.

While some reports in the PA-PSRS database involve sophisticated or complex procedures or equipment, numerous reports of adverse events and near-misses can be attributed to such routine procedures as failure to comply with accepted hand washing protocols, poor communication, misuse of abbreviations, use of incomplete or inadequate patient identification, and failure to identify problems associated with high alert medications. In fact, many of the reports submitted to PA-PSRS reflect situations that are well documented in the literature, in some cases prominently highlighted by national organizations like the Joint Commission's annual National Patient Safety Goals or the Institute for Healthcare Improvement's "100,000 Lives Campaign."

Examples of articles published in the *Patient Safety Advisory* follow:

- "Improving the Safety of Telephone or Verbal Orders" (*Patient Safety Advisory*, June 2006). Because patients are at greater risk of medication errors when drugs are ordered verbally or over the telephone, the article advocates a read-back procedure in which the person receiving the order writes it down, reads it back, and gets confirmation that they understood the order correctly. The article includes a multi-media tool kit for education and training.
- "Bioburden on Surgical Instruments" (*Patient Safety Advisory*, March 2006). Pennsylvania hospitals have submitted reports describing cases in which sterilized surgical instruments have been contaminated with organic material from a prior procedure—called "bioburden." These soiled instruments can contaminate the sterile field.
- "Clostridium Difficile: A Sometimes Fatal Complication of Antibiotic Use" (*Patient Safety Advisory*, June 2005). The article details fatalities attributed to *C. diff* sepsis in patients who had earlier received antibiotic therapy for an unrelated condition or as a prophylaxis in anticipation of an upcoming procedure. This article includes clinical guidance on both treatment and prevention.
- "Who Administers Propofol in Your Organization?" (*Patient Safety Advisory*, March 2006). Many

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Facilitating Patient Safety and Quality Improvement

Continued from previous page

problems are associated with the use of propofol, widely administered in hospitals, ASFs and physician offices during endoscopic, radiologic and other procedures. Questions have been raised about the training of practitioners involved in administering the drug.

- “Unanticipated Care after Discharge from Ambulatory Surgical Facilities” (*Patient Safety Advisory*, Dec. 2005). Patients who required hospital-level care within hours or days after treatment at an ASF may have benefited from more detailed discharge instructions and more structured patient-provider communication. Clinical recommendations are targeted to ASF and office settings.
- “Skin Tears: The Clinical Challenge” (*Patient Safety Advisory*, Sept. 2006). While the literature dealing with skin tears focuses on the long-term care experience, the problem is also potentially serious in acute-care and office settings. The article describes risk factors, preventative interventions and evidence-based treatment protocols, including a “Skin Tears Toolkit” to help providers implement procedures to prevent patient injury.
- “Overdoses Caused by Confusion Between Tuberculin and Insulin Syringes” (Supplementary Advisory, Oct. 2004). The article documents several examples of insulin overdose due to look-alike packaging.
- “Hidden Sources of Latex in Healthcare Products” (*Patient Safety Advisory*, June 2004). The article identifies numerous examples of healthcare products that contain unlabeled latex that resulted in harm to latex-sensitive patients or providers.
- “Risk of Overdose from Multiple Transdermal Patches” (*Patient Safety Advisory*, Sept. 2004). The article identifies several examples of overdose caused by failure to remove a transdermal patch prior to applying a new patch.
- “Dangers Associated with Unlabeled Basins, Bowls and Cups” (*Patient Safety Advisory*, March 2005). The article documents situations where patients received an incorrect, and potentially lethal, product or solution because of unlabeled containers within the sterile field.

PA-PSRS research, as documented through the advisories, has generated national attention and recognition. In fact, in October 2006 the authority was awarded a prestigious John Eisenberg Award, given jointly by the Joint Commission on Accreditation of Healthcare Organizations and the National Quality Forum, for innovation and the promotion of patient safety throughout Pennsylvania and around the country.

Because patient safety is everyone’s business, we invite you to join in our efforts to improve healthcare outcomes. While the PA-PSRS reporting system is focused on facilities, the authority itself is a “learning” organization committed to collaborating with all members of the healthcare community, including individual practitioners. After all, individual physicians are central to the delivery of healthcare and to the development of a “culture of safety” within our healthcare system.

Let’s work together to reduce the potential for harm and enhance patient safety.

More information about the authority, links to references cited within this article and information about free subscriptions to the Patient Safety Advisory can be found on the authority Web site: www.psa.state.pa.us.

REMINDERS

Licensees must contact the board office with any changes in name or address.

Name changes require a copy of a court order, marriage certificate, divorce decree or other official document.

Licensees must also notify the board within 90 days if another state board takes disciplinary action against them.
Criminal convictions must be reported to the board within 30 days.

**Mail information to:
State Board of Medicine, PO Box 2649, Harrisburg PA 17105-2649**

Disciplinary Actions

Following is a chronological listing of disciplinary actions taken by the board from Sept. 2005 through Feb. 2007. Each entry includes the name, certificate or registration number (if any), and last known address of the respondent; the disciplinary sanction imposed; a brief description of the basis of the disciplinary sanction and the effective date of the disciplinary sanction.

Every effort has been made to ensure that the following information is correct. However, this information should not be relied on without verification from the Prothonotary's Office of the Bureau of Professional and Occupational Affairs. One may obtain verification of individual disciplinary action by writing or telephoning the Prothonotary's Office at P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686. Please note that the names of persons listed below may be similar to the names of persons who have not been disciplined by the board.

Muhammad Saeed, of Lahore, Pakistan, license no. MD018923E, was indefinitely suspended based on disciplinary action taken against his license to practice medicine by the proper licensing authority of other states, specifically, MI, NY and Fla. (09-14-05)

Victoria Lynn Carrington, of Avon, OH, license no. MD073544L, was revoked based on disciplinary action taken against her license to practice medicine by the proper licensing authority of OH. (09-28-05)

David E. Sternberg, unlicensed, of Leakwood, Kan., was denied licensure based on federal felony convictions and disciplinary action against his license to practice medicine by the proper licensing authority of other states. (09-29-05)

Francisco D. Japzon, license no. MD031210L, of Hagerstown, Md., was reprimanded, and his license to practice medicine and surgery placed on probation, subject to terms and conditions, based on previous disciplinary action taken against his license in the state of Md. (10-04-05)

George P. Moses, license no. MD028658L, of Wilkes-Barre, Luzerne County, was reprimanded, assessed a \$1,000 civil penalty and ordered to attend a board-approved course on record keeping, based on his failure to conform to a quality standard of the profession, failure to maintain medical records which accurately, legibly, and completely reflect the evaluation of his patient, and for falsifying the discharge summary of a patient. (10-05-05)

Joseph Paul Coladonato, license no. MD045782L, of Seaford, Del., was revoked based on his conviction of a felony. (10-06-05)

Ellen Gaefke, unlicensed, of Eighty Four, Washington County, was ordered to cease and desist from the unlicensed

practice of midwifery and assessed a \$1,000 civil penalty. Gaefke engaged in the unauthorized practice of medicine and practicing midwifery without a license. (10-12-05)

Robert Schwartzstein, license no. MD048421L of Chandler, Ariz., was assessed a \$1,000 civil penalty because Schwartzstein's license to practice medicine was disciplined by the proper licensing authority of another state. (10-14-05)

Donald F. Short, Jr., license no. RT001806A, of Aliquippa, Beaver County, was ordered to pay a civil penalty and a public reprimand was placed on his permanent board record. Short continued to practice while his license to practice as an athletic trainer was expired. (10-14-05)

Aleksander Rabukhin, license no. MD073565L, of Central Islip, N.Y., was assessed a \$1,000 civil penalty, a public reprimand was placed on his board record and his license was suspended for five years, immediately stayed in favor of probation for five years. Rabukhin had disciplinary action taken by a proper licensing authority of another state. (10-14-05)

Bradley Alan Schwartz, license no. MD055329L, of Tucson, Ariz., was indefinitely suspended until such time as

Disciplinary Actions

Richard J. Kienzle, license no. MD040965L, of Copperhill, Tenn., was indefinitely suspended until such time as his medical license is restored without restriction by the proper licensing authority of the state of Ga., based on disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. (10-31-05)

Harry A. Alexanderian, license no. MD028808L, of West Pittston, Luzerne County, was indefinitely suspended for at least 10 years based on his felony drug convictions. (11-01-05)

Nadir Ali Zaidi, license no. MD422126L, of Punta Gorda, Fla., was assessed a \$1,000 civil penalty based on disciplinary action taken against his license to practice medicine by the proper licensing authority of Fla. (11-02-05)

Robert R. Franzino, license no. MD029229E, of Greensburg, Westmoreland County, was revoked, retroactive to Dec. 1, 2000, based on his criminal conviction of four felony offenses of insurance fraud and three violations of the Pharmacy Act in the Westmoreland County Court of Common Pleas. (11-03-05)

Walter L. Davis, license no. MD422165, of Pensacola, Fla., was assessed a \$2,000 civil penalty based on disciplinary action taken against his license to practice medicine by the proper licensing authority of another state and failing to notify the board within 60 days of the occurrence of the Fla. disciplinary action. (11-07-05)

Gregory Alan Johnson, license no. MD031119E, of Troy, N.Y., and Mill Creek, Wash., was revoked based on disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. (11-9-05)

Sergio Manuel Rodarte-Rojas, license no. MD053584L, of El Paso, TX, was reprimanded and may not reactivate his license in the commonwealth until he demonstrates full compliance with the order of the TX Board of Medical Examiners, based on failure to report disciplinary action taken against him by the proper health care licensing authority of TX within 60 days. (11-14-05)

Larry J. Chancellor, Jr., license no. YM005562L, of Pittsburgh, Allegheny County, was reprimanded and assessed a \$1,000 civil penalty based on practicing respiratory therapy on a lapsed license. (11-14-05)

Laurie S. Zaparynski, license no. RT000427A of Mansfield, Tioga County, was assessed a \$500 civil penalty and a public reprimand was placed on her

permanent board record. Zaparynski practiced as an athletic trainer while she did not have a certificate to practice. (11-15-05)

Frederick Cohn, license no. MD061277L, of Albuquerque, N.M., was revoked by reason of disciplinary action against his license to practice medicine by the proper licensing authority of another state. (11-15-05)

Daniel Block, certificate no. YM006979L, of Levittown, Bucks County, was indefinitely suspended until such time as he can demonstrate that he can resume a competent practice of respiratory care with reasonable skill and safety to patients, based on the fact that he failed to submit to a mental and physical examination when directed by the board. (11-15-05)

Rebecca Lynn England, license no. MD072863L, of Wauwatosa, Wis., was assessed a \$1,000 civil penalty because she failed to report to the board within 60 days the receipt of a notice of complaint in a medical professional liability action that was filed against her. (11-15-05)

Lynne Hagelin, license no. MD045171E, of Wilmington, Del., was assessed a \$1,000 civil penalty and a reprimand placed on her board record. Hagelin continued to practice while her license to practice as a physician and surgeon

in the commonwealth was expired. (11-15-05)

Rania K. Hamvas, license no. MD038714E, of Marietta, Ga., was publicly reprimanded because Hamvas's license or other authorization to practice the profession was revoked or suspended or other disciplinary action was taken against Hamvas by the proper licensing authority of another state. (11-15-05)

George A Jacobs, license no. MD021709L, of Evans City, Butler County, permanently, voluntarily surrendered his license to practice medicine and surgery because Jacobs authorized and permitted his wife to prescribe medications, including controlled substances, on his behalf, by utilization of his stamped signature. (11-15-05)

Bruce R. Maddern, license no. MD037842E, of Jacksonville, Fla., was assessed a \$1,000 civil penalty because Maddern had disciplinary action taken against his license by the proper licensing authority of another state. (11-15-05)

Curtis A. Lowery, Jr., certificate no. YM004504L, of Pittsburgh, Allegheny County, was indefinitely suspended until such time as he can demonstrate that he can resume a competent practice of respiratory care with reasonable skill and safety to patients, based on

findings that he is unable to practice respiratory care with reasonable skill and safety to patients by reason of illness. (11-15-05)

Charles M. Momah, license no. MD048759L, of Massena, N.Y., agreed to the indefinite suspension of his license because he had disciplinary action taken against his license by the proper licensing authority of another state. (11-15-05)

Adriaan J. Van Gaalen, license no. MD039195L, of Bethlehem, Northampton County, was assessed a \$1,000 civil penalty because Van Gaalen failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action filed against the physician. (11-15-05)

Craig Edward Swanson, license no. MD044670E, of Sayre, Bradford County, was indefinitely suspended until such time as he provides documentary evidence to the board that the Calif. Board of Medicine has reinstated his license to practice medicine without restriction in that state, based on findings that he failed to report a disciplinary action instituted against him to the board within 30 days after its occurrence. (11-16-05)

John Baxter Cone, license no. MD030445E, of Little Rock, Ark., was suspended for five years, retroactive to Dec. 5, 2002, stayed in favor of probation based on findings

that disciplinary action was taken against his license to practice medicine by the proper licensing authority of Ark. (11-16-05)

Anne F. Gilroy, license no. MD037145E, of Bryn Mawr, Montgomery County, was indefinitely suspended until such time as she provides documentary evidence to the board that the N.J. State Board of Medical Examiners has reinstated her license to practice medicine without restriction in that state, based on disciplinary action taken against her license to practice medicine by the proper licensing authority of N.J. (11-16-05)

Rania Almahayni, license no. MD053909L, of West Windsor, N.J., was indefinitely suspended until such time as she provides documentary evidence to the board that the N.J. State Medical Board has reinstated her license to practice medicine without restriction in that state, and she affirmatively shows her fitness to practice medicine with reasonable skill and safety to patients, based on disciplinary action taken against her license to practice medicine by N.J. (11-17-05)

Richard A. Smock, license no. MD021005E, of Tucson, Ariz., was indefinitely suspended until such time as his medical license is restored without restriction by the proper licensing authority of the state of Ariz., based on

Disciplinary Actions

findings that disciplinary action was taken against his license to practice medicine by the proper licensing authority of Ariz. (11-17-05)

Mark Jacobs, license no. MD020668E, of Media, Delaware County, was assessed a \$1,000 civil penalty based on failure to report to the board within 60 days' notice of a complaint in a medical professional liability action filed against him. (11-21-05)

Sharon Brooke Mass, license no. MD057100L, of Randolph, N.J., was assessed a \$1,000 civil penalty based on failure to report to the board within 60 days notice of a complaint in a medical professional liability action filed against her. (11-21-05)

Robert Thomas Mitrione, license no. MD044590E, of Philadelphia, Philadelphia County, was revoked based on his conviction of two felony offenses. (11-22-05)

Najah Muhamad Al-Shalchi, license no. MD028312E, of San Antonio, TX, was indefinitely suspended until such time as he provides documentary evidence that the TX State Board of Medical Examiners has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (11-29-05)

Nadine A. Paslawsky, certificate no. MA001010L,

of Virginia Beach, Va., was indefinitely suspended until such time as her certificate is returned to unrestricted status in Va., based on her license being disciplined by the proper licensing authority of another state and failure to report to the board within 60 days, information on the disciplinary action taken by another state. (11-30-05)

Richard L. Montozzi, license no. MD038339L, of the city and county of Philadelphia and Conshohocken, Montgomery County, was indefinitely suspended for not less than 12 months and assessed a \$4,000 civil penalty based on his violation of the board's regulations by not maintaining the required amount of professional liability insurance. (12-07-05)

Satishchandr A. Dhagat, license no. MD021191E, of Sewickley, Allegheny County was assessed a \$5,000 civil penalty based on failure to report to the board a complaint in a medical professional liability action filed against him within 60 days. (12-12-05)

Michael T. Malayil, license no. MD037640L, of Washington, Washington County, was assessed a \$1,200 civil penalty because Malayil had his license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken

against his license by the proper licensing authority of another state and then failed to report to the board the disciplinary action instituted against him by the licensing authority of the other state within 30 days after its occurrence. (12-20-05)

John A. Pfeilsticker, license no. MD030088E, of Bradenton, Fla., was assessed a \$1,000 civil penalty because Pfeilsticker had disciplinary action taken against his license by the proper licensing authority of another state. (12-20-05)

John L. Warner, IV, license no. RT002118A, of Pittsburgh, Allegheny County, was assessed a \$500 civil penalty because Warner continued to practice while his certificate to practice as an athletic trainer was expired. (12-20-05)

Jose Siefredo Subervi, license no. MD047480L, of Allentown, Lehigh County, was assessed a \$1,000 civil penalty and had his license suspended for one year, immediately stayed in favor of probation for one year, because he was convicted of a misdemeanor related to a health profession and was disciplined by the proper licensing authority of another state, territory or country. (12-20-05)

Ned I. Shulman, license no. MD013837E, of St. Albans, VT, permanently and voluntarily surrendered his license because Shulman had disciplinary action taken against his license to practice the profession by a proper licensing authority of another state. (12-20-05)

Lisa Kaye Draper, license no. RT002046A, of Loysville, Perry County, was assessed a \$500 civil penalty because Draper continued to practice while her certificate was expired. (12-20-05)

Rano S. Bofill, license no. MD024342E, of Man, W. Va., was assessed a \$2,000 civil penalty of \$2,000, because he had disciplinary action taken against his license to practice medicine by the proper licensing authority in two other states. (12-20-05)

Eric D. Stacher, license no. MD037668L, of Waynesburg, Greene County, was assessed a \$1,000 civil penalty, had a public reprimand placed on his license and submitted a letter of apology addressed to the mother of the former patient for failing to provide the original immunization record after providing a false immunization record due to inability to locate the originals due to the departure of office staff, and failing to furnish the original immunization records upon their discovery. (12-20-05)

Alan M. Stein, license no. MD042772E, of Suncock, N.H., was placed on probation because he had disciplinary action taken against him by the proper licensing authority of another state. (12-20-05)

Jack C. Lee, license no. MD057039L, of Bridgewater, N.J., was assessed a \$5,000 civil penalty because he had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against him by the proper licensing authority of another state. (12-20-05)

Charles J. Locke, license no. MD014583E, of Gouverneur, N.Y., consented to the immediate and permanent voluntary surrender of his license because Locke had disciplinary action taken against his license to practice the profession by a proper licensing authority of another state. (12-20-05)

Carolyn C. Jimenez, license no. RT001286A, of Wallingford, Delaware County, was assessed a \$1,000 civil penalty because Jimenez continued to practice while her license was expired. (12-20-05)

Ronald L. Brody, license no. MD027314E, of Voorhees, N.J., was assessed a \$2,500 civil penalty and had a public reprimand placed on his permanent board record, because he had a license or other authorization to practice the profession revoked, suspended or had other disciplinary action taken by the

proper licensing authority of N.J. (12-20-05)

Jose O. Cruz, license no. YM006088L, of Reading, Berks County, was assessed a \$500 civil penalty of \$500 and a public reprimand placed on his board record because Cruz continued to practice while his license to practice as a respiratory care practitioner was expired. (12-20-05)

Charles T. McGlynn, license no. MD040175L, of IA, was indefinitely suspended. However, within six months of moving to Pa. and engaging in follow-up psychiatric treatment and showing to the board's satisfaction that he can safely and competently resume the practice of medicine, the suspension will be stayed in favor of three years probation. McGlynn was unable to practice the profession with reasonable skill and safety to patients by reason of illness or mental impairment. (12-20-05)

John F. Mira, license no. MD017762E, of Camp Hill, Cumberland County, was assessed a \$5,000 civil penalty and his license was placed on probation for one year because Mira engaged in unprofessional conduct by departing from, or failing to conform to the accepted standard of medical care. (12-20-05).

William W. Hollifield, unlicensed, of Winston-Salem, N.C., was denied licensure because of past substance abuse and previous disciplinary action against his

Disciplinary Actions

license to practice medicine by the proper licensing authority of other states (Ga., Fla., and Ore.). (12-20-05)

Kevin A. Chavarria, license no. MD044909E, of Philadelphia, Philadelphia County, was reinstated and immediately suspended for five years, stayed in favor of probation after Chavarria affirmatively demonstrated that he can practice medicine and surgery with reasonable skill and safety and would not present a threat to the public health and safety. (12-23-05)

Frank Burstein, license no. MD004338E of Philadelphia, Philadelphia County, agreed to a permanent, voluntary surrender of his license to practice medicine and surgery because he is unable to practice medicine and surgery with reasonable skill and safety to patients by reason of physical illness and/or mental incompetence. (01-24-06)

Mercedes Madar, license no. MD067239L of Enola, Cumberland County, was assessed a \$1,000 civil penalty. Madar failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against Madar. (01-24-06)

Jonathan P. Johns, license no. MD420124 of Washington, Washington County, was publicly reprimanded because he had disciplinary action taken against his license by the

proper licensing authority of another state. (01-24-06)

Kenneth D. McKnight, license no. YM007510 of Hawley, Wayne County, was assessed a \$1,000 civil penalty and a reprimand placed on his board record. McKnight practiced as a respiratory care practitioner with an expired license. (01-24-06)

Nasser Radparvar, license no. MD034275L, of Los Angeles, Calif., consented to the immediate permanent voluntary surrender of his license to practice medicine and surgery in the commonwealth because he had a license or other authorization to practice the profession revoked or suspended, or had other disciplinary action taken against his license by the proper licensing authority of another state. (01-24-06)

Valerie Conroy, certificate no. MA001126L, of Ottsville, Bucks County, was granted reinstatement subject to terms and conditions based on affirmatively demonstrating that she can practice as a physician assistant and would not present a threat to the public health and safety. (01-27-06)

Eli Katz, of Santa Barbara and Ventura, Calif., was indefinitely suspended until the Calif. State Board of Medicine has reinstated his license to practice medicine and surgery in that state to

unrestricted status, based on disciplinary action taken against his license to practice medicine in the state of Calif. (02-23-06)

John M. Kern, Jr., license no. MD017932E, of Pittsburgh, Allegheny County, was indefinitely suspended based on findings that he is unable to practice medicine and surgery with reasonable skill and safety to patients. (02-27-06)

Vernon E. Aldridge, license no. RT001515A of West Chester, Chester County, was assessed a \$500 civil penalty. A public reprimand was also placed on Aldridge's permanent record because he continued to practice while his license as a certified athletic trainer was expired. (02-28-06)

Abul F. Hussain, license no. MD069617L of Wilkes-Barre, Luzerne County, voluntarily and permanently surrendered his license. Hussain was convicted of a felony drug law violation. (02-28-06)

Matthew J. Blimline, license no. RT000817A of Shillington, Berks County, was assessed a \$500 civil penalty and a public reprimand was placed on his permanent board record. Blimline continued to practice as an athletic trainer while his license was expired. (02-28-06)

Enrique Zenon Fraga, license no. MD032980E, of Miami, Fla. was issued a public reprimand and assessed a \$1,000 civil penalty because Fraga had disciplinary action taken against his license to practice the profession by another state. (02-28-06)

Robert Matthew Hunter, license no. MD044183L of Uniondale, Susquehanna County, agreed to the revocation of his license to practice medicine because Hunter engaged in unprofessional conduct. (2-28-06)

Sang In Yi of Blue Bell, Montgomery County, was assessed a \$2,000 civil penalty and ordered to cease the unlicensed practice of acupuncture. (02-28-06)

Scott Uderman, license no. RT001671A of Cheyney, Delaware and Chester Counties, was assessed a \$1,000 civil penalty. Uderman practiced as an athletic trainer while his certificate was expired because he had not paid a current registration fee. (02-28-06)

Ronnie C. Parker, license no. MD032707E of Pittsburgh, Allegheny County, was assessed a \$1,000 civil penalty because Parker failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action

that was filed against him. (02-28-06)

Mark C. Sorenson, license no. MD036823E, of Philadelphia, Philadelphia County, had his license to practice medicine and surgery indefinitely suspended for at least five years retroactive to Oct. 31, 2004. Sorenson is unable to practice the profession with reasonable skill and safety to patients by reason of illness, addiction to drugs, or alcohol. (02-28-06)

Stanley B. Steinberg, license no. MD004056E of Merion-Station, Montgomery County, was assessed a \$1,000 civil penalty. Steinberg failed to report to the board within 60 days of receiving notice of a complaint in a medical professional liability action filed against him. (02-28-06)

Reuben I. Thaker, license no. MD422227 of Chattanooga, Tenn., was indefinitely suspended because his application for licensure was denied by the licensing authority of another state and failing to report the denial. (02-28-06)

William S. Syzmanski, license no. YM005641L, of Lancaster, Lancaster County, had his license to practice respiratory therapy suspended for 90 days effective March 31, 2006 after he pled guilty to a federal crime. (03-02-06)

Armando Sanchez, license no. MD033984E, of Houston, TX, was revoked and assessed a \$1,000 civil penalty based on his no contest plea to

solicitation of capital murder, a capital felony, in the Harris County, TX, 209th District Court. (03-02-06)

Arthur Luban, license no. MD0274320L, of Brooklyn, N.Y., was revoked based on his failure to report disciplinary action against him in the state of N.Y. (03-07-06)

John F. McIntyre, license no. MD014414E, of Tunkhannock, Wyoming County, was assessed a \$1,000 civil penalty based on allegedly making a false or deceptive biennial registration with the board. (03-24-06)

Douglas Jay Knox, license no. RT000932A of Slippery Rock, Butler County, was assessed a \$500 civil penalty because he represented himself as an athletic trainer after his license had expired. (03-28-06)

Stephen Terry Kraus, license no. MD018073E, of Albany, Ga., was assessed a \$500 civil penalty because Kraus had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state. (03-28-06)

John F. Mitchell, license no. MD020824E, of Emmaus, Lehigh County, was suspended for three years, immediately stayed in favor of probation, and assessed a \$7,000 civil penalty. Mitchell was also required to take a

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course in boundary violations within six months of the date of the board's order, failure to take said course to result in suspension of his license. Mitchell engaged in a personal and romantic relationship with a female patient and prescribed medications to a patient but failed to maintain medical records. (03-28-06)

William Francis Ryckman, license no. MD016250E, of Sutersville, Westmoreland County, had a public reprimand placed upon his permanent board record and was assessed a \$500 civil penalty. Ryckman had disciplinary action taken against his license to practice the profession by the proper licensing authority of another state. (03-28-06)

Edward Arthur Talmage, license no. MD004849E, of Sugar Land, TX, consented to the immediate permanent voluntary surrender of his license to practice medicine and surgery in Pa. because Talmage had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state. (03-28-06)

John S. Kelly, license no. MD015365E, of Smethport, McKean County, was suspended for no less than three years based on his violation of the terms of the Voluntary Recovery Program consent agreement. (04-06-06)

Carlos Forrester, license no. MD028312E, of Mobile, Ala., was suspended until his medical license has been reinstated without restriction in the state of Ala., based on his license to practice medicine being disciplined by the proper licensing authority of another state. (04-07-06)

Donald W. Marion, license no. MD029529E, of Wayland, Mass., was indefinitely suspended until such time as he provides documentary evidence to the board that the Mass. Board of Registration in Medicine has reinstated his license to practice medicine without restriction in that state and demonstrate his fitness to practice to the satisfaction of the board, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (4-12-06)

Anil K. Dutt of Titusville, Crawford County, was granted a medical license, with the license immediately placed on probation for no less than six months subject to terms and conditions based on affirmatively demonstrating that he can practice medicine and surgery with reasonable skill and safety and would not present a threat to public health and safety. (04-13-06)

Trivandrum S. Ramaswamy, license no. MD035667L, of Pendleton, Ind., was revoked based on his failure to report disciplinary action from

another state against him. (04-21-06)

Sumit B. Ghosh, license no. MD068092L, of Dallas, Luzerne County, was assessed a \$1,000 civil penalty. Ghosh failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that was filed against him. (04-25-06)

Ruben J. Marchisano, license no. MD024865E of Scottsdale, Ariz., has permanently and voluntarily surrendered his license. Marchisano had disciplinary action taken against his license by the proper licensing authority of another state. (04-25-06)

Lauretta D. Valdivieso, license no. YM006389L of Lake Ariel, Wayne County, voluntarily and permanently surrendered her license. Valdivieso committed unprofessional conduct by forging prescriptions. (04-25-06)

Martin D. Weaver, license no. MD042968L of Sicklerville, N.J., was assessed a \$1,000 civil penalty. Weaver continued to practice medicine and surgery while his license was expired. (04-25-06)

Franklin M. Wolf, license no. MD011309E of London, Ky., was assessed a \$500 civil penalty. Wolf's license to practice medicine was

the subject of disciplinary action by the proper licensing authority of another state. (04-25-06)

Thomas J. Bradley, license no. MD021402L, of DuBois, Clearfield County, was ordered to enroll and successfully complete and document a board-approved course in medical record-keeping within six months. (04-27-06)

Jeffrey L. Fahnestock, license no. MA001458L, of Chambersburg, Franklin County, was revoked based on his unprofessional conduct and practicing in violation of the board's order. (04-28-06)

Kenneth Hann-Kim Ung, license no. MD056763L, of Ewing, N.J., was reprimanded and assessed a \$2,000 civil penalty based on findings his license to practice as a physician was subject to discipline in the state of NJ. (05-16-06)

Arnold T. Berman, license no. MD008696E of Philadelphia, Philadelphia County, was assessed a \$250 civil penalty. Berman made a false biennial registration with the board. (05-23-06)

Robert S. Matthews, license no. MD014585E of Lancaster, Lancaster County, was assessed a \$4,000 civil penalty and had a public reprimand placed on his permanent board record. Matthews engaged in unprofessional

conduct for his misdemeanor conviction for an act involving moral turpitude when the act directly or indirectly affects the welfare of citizens of this commonwealth. (05-23-06)

Robin Denise Sullivan, license no. YM010643, of Hartsville, N.C., was suspended until such time as her N.C. respiratory care license is reinstated without restrictions. (06-22-06)

Richard J. DeFranco, license no. MD050273L, of Cleveland Heights, OH, was indefinitely suspended for no less than three years, immediately stayed in favor of probation for no less than three years under the supervision of the Professional Health Monitoring Program (PHMP) and the Disciplinary Monitoring Unit (DMU). DeFranco is unable to practice the profession with

reasonable skill and safety to patients by reason of illness, addiction to drugs or alcohol, or mental impairment. (06-27-06)

Glenn F. Leister, license no. MD026778L, of Hanover, York County, voluntarily and permanently suspended his license effective Aug. 1, 2006. Leister prescribed controlled substances for other than acceptable medical purposes and engaged in unprofessional conduct with respect to his prescribing practices in that his prescribing practices failed to comply with the quality of standards of the profession. (06-27-06)

Doug Lenhart, unlicensed, of New Kensington, Westmoreland County, was issued an order to cease and desist from the practice

UNETHICAL OR UNLICENSED ACTIVITY

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs compliance hotline at:

In Pennsylvania: 1-800-822-2113

Out of State: 1-717-783-4854

A complaint form is available on the Department of State's Web site at www.dos.state.pa.us

Disciplinary Actions

of medicine and surgery and assessed a \$10,000 civil penalty for practice without a license. (06-13-06)

Tito Flavio Gorski-Filho, license no. MD059722L of Corona, Calif., was assessed a \$500 civil penalty and had a public reprimand placed on his board record. Gorski-Filho had his license to practice medicine and surgery disciplined by the proper licensing authority of another state and failed to report the disciplinary action to the board. (06-27-06)

Benson Harvey, Jr., license no. MD034196E, of Lebanon, Lebanon County, was publicly reprimanded and paid a \$1,000 civil penalty. Harvey failed to remove a surgical drape from a patient prior to completing a surgical procedure. (06-27-06)

Edward B. Hunter, Jr., license no. MD066647L, of Bluefield, W. Va., was suspended until all terms and conditions are removed from his WV license. Hunter had his license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against him by the proper licensing authority of another state. (06-27-06)

Steven M. Kessler, license no. MD041757E, of Wynnewood, Montgomery County, was suspended for no less than three years,

immediately stayed in favor of no less than three years probation with terms and conditions, including his successful participation in the Disciplinary Monitoring Unit of the Professional Health Monitoring Programs. Kessler is unable to practice medicine and surgery with reasonable skill and safety to patients by reason of addiction to drugs or alcohol. (06-27-06)

Michael A. Moclock, license no. MD041757E, of St. Mary's, Elk County, was suspended for no less than three years, immediately stayed in favor of no less than three years probation with terms and conditions, including his successful participation in the Disciplinary Monitoring Unit of the Professional Health Monitoring Programs. Moclock is unable to practice medicine and surgery with reasonable skill and safety to patients by reason of addiction to drugs or alcohol. (06-27-06)

Robert P. Ditizio, license no. MD047027L, of Colledgeville, Montgomery County, was indefinitely suspended for no less than three years, retroactive to Feb. 27, 2006, with all but 18 months stayed in favor of probation. Ditizio failed to abstain from the use of controlled substances or drugs of abuse. (06-29-06)

Gurbachan S. Kathpal, license no. MD035764L, of Canonsburg, Washington County, was indefinitely suspended because he is

unable to practice with reasonable skill and safety to patients because of illness, addiction to drugs or alcohol. (07-05-06)

Edward J. Arida, license no. MD067444L, of Pompano Beach, Fla., was indefinitely suspended for no less than five years based on findings that he is unable to practice medicine with reasonable skill and safety to patients. (07-10-06)

Lydia H. Grotti, license no. MD043812L, of Cedar Hill, TX, was revoked based on disciplinary action taken against her license to practice medicine by the proper licensing authority of Texas. (07-14-06)

Holly G. Arato, license no. MD045057L, of Fort Fairfield, ME, permanently and voluntarily surrendered her license to practice medicine in Pa.. Arato had disciplinary action taken against her license by the proper licensing board of another state. (07-25-06)

Robert B. Pendrak, license no. MD057356L, of Lake City, Fla., paid a \$1,000 civil penalty. Pendrak failed to report within 60 days of receipt of notice of a complaint in a medical professional liability action that was filed against him. (07-25-06)

Sheri L. Plambeck, license no. MA002020L, of Los Angeles, Calif., agreed to

the immediate permanent voluntary surrender of her license to practice as a medical physician assistant in Pa. Plambeck had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against her by the proper licensing authority of another state. (07-25-06)

Milton M. Smith, license no. MD064653L, of New York, N.Y., agreed to voluntarily surrender his license to practice medicine in Pa. Smith had his license revoked by the proper licensing authority of another state and then failed to report the disciplinary action taken against him to the board within 60 days. (07-25-06)

Axat Sanatkumar Jani, license no. MD064372L, of Fairlawn, N.J., was indefinitely suspended until he provides documentary evidence to the board that the N.J. State Board of Medicine has reinstated his license to practice medicine without restriction in that state, based on Jani having been convicted of a felony or misdemeanor related to a health professional in the court of the state of N.J. (08-02-06)

Anna Yoder, unlicensed, of Meyersdale, Somerset County, was ordered to cease and desist from the practice of midwifery and assessed a \$1,000 civil penalty. Yoder engaged

in the practice of medicine when she was not licensed, prescribed and administered the prescription drug Pitocin and practiced midwifery without a license or the necessary training needed to obtain a nurse-midwife license. (08-16-06)

Ruth Yoder, unlicensed, of Meyersdale, Somerset County, was ordered to cease and desist from the practice of midwifery and assessed a \$1,000 civil penalty. Yoder engaged in the practice of medicine when she was not licensed, prescribed and administered the prescription drug Pitocin and practiced midwifery without a license or the necessary training needed to obtain a nurse-midwife license. (08-16-06)

Imran Faisal, license no. MD062612L, of Elmhurst, N.Y., was suspended until he demonstrates that he has completed his NY probation and his license has been reinstated in that state without restriction based on license disciplinary action imposed by the state of N.Y. (08-17-06)

Juan P. Aguilar, license no. MD072563L, of Pinecrest, Fla., was assessed a \$2,500 civil penalty because Aguilar had disciplinary action taken against his license to practice the profession by the proper licensing authority of another state. (08-22-06)

Ghassan K. Boutros, license no. MD032227E, of Pasadena, Calif., was assessed a \$2,000 civil penalty and his

license was revoked and immediately stayed in favor of probation with terms and conditions. Boutros had disciplinary action taken against his license to practice the profession by the proper licensing authority of another state. (08-22-06)

Remedios R. Cabansag, license no. MD032579L, of Fort Worth, TX, was publicly reprimanded by the board because Cabansag had disciplinary action taken against his license to practice the profession by a proper licensing authority of another state. (08-22-06)

Evangelos A. Catsoulis, license no. MD029916L, of New York, N.Y., agreed to the permanent voluntary surrender of his license to practice medicine in Pa. Catsoulis had a license to practice medicine revoked by a proper licensing authority of another state. (08-22-06)

Walter H. Caulfield, license no. MD046826L, of Gastonia, N.C., had a public reprimand placed on his permanent board record. Caulfield's license was revoked or suspended or other disciplinary action was taken against him by the proper licensing authority of another state. (08-22-06)

Pamela L. Craddock, license no. MW008479L, of Narvon, Lancaster County, was assessed a \$1,000 civil penalty and a public reprimand was placed on her permanent board record.

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Craddock practiced midwifery without a valid unexpired license. (08-22-06)

Safa P. Farzin, license no. MD421521, of Harrisburg, Dauphin County, was assessed a \$1,000 civil penalty because Farzin failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that was filed against him. (08-22-06)

Ravindra Vishnu Ginde of Gillette, N.J., license no. MD018964E, was ordered to permanently and voluntarily surrender his license to practice in Pa. because Ginde had disciplinary action taken against his license to practice the profession by a proper licensing authority of another state. (08-22-06)

Ian M. Goonewardene, license no. MD064260L, of Royersford, Montgomery County, was assessed a \$1,000 civil penalty. Goonewardene failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against him. (08-22-06)

Joy G. Harrison, license no. MD417229, of Oyster Bay, N.Y., was assessed a \$1,500 civil penalty because she had her license to practice medicine disciplined by the licensing authority of another state. (08-22-06)

Maureen A. Loyer, license no. RT003283, of Glassport, Allegheny County, was assessed a \$500 civil penalty. Loyer continued to practice while his certificate to practice as an athletic trainer was expired. (08-22-06)

Philip Gustave Martin, license no. MD040730L, of San Pedro, Calif., agreed to the permanent voluntary surrender of his license to practice medicine and surgery in Pa. Martin had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state. (08-22-06)

Joseph J. Mele, license no. YN000480L, of Philadelphia, Philadelphia County, was assessed a \$250 civil penalty. Mele practiced respiratory care without a valid, current license. (08-22-06)

Dennis Lee Olive, license no. MD033033E, of Huntsville, Ala., agreed to a permanent and voluntary surrender of his license to practice medicine and surgery in Pa. Olive had a license to practice medicine and surgery disciplined on two occasions by the proper licensing authority of another state and failed to report to the board within 60 days of the occurrence of the two disciplinary actions taken against him by the proper health care licensing authority of another state. (08-22-06)

Prashant Pramod Parikh, license no. MD066280L, of Lansdale, Montgomery County, was publicly reprimanded and assessed a \$1,000 civil penalty. Parikh had his license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state. (08-22-06)

Ernesto Philip Rhodes, license no. MD045306L, of Midland, TX, was ordered to have his license indefinitely suspended until all terms, conditions and limitations placed on his license to practice medicine in TX have been removed. The suspension was immediately stayed in favor of probation subject to terms and conditions because Rhodes had a license to practice medicine and surgery disciplined by the proper licensing authority of another state. (08-22-06)

Jere L. Wagner, license no. MD025370E, of Shamokin, Northumberland County, had his license indefinitely suspended, immediately stayed in favor of probation. Wagner prescribed controlled substances to patients without conducting proper re-evaluations, or maintaining appropriate medical records. (08-22-06)

Justin Frederic Weiss, license no. MD056763L, of Tuscon, Ariz., was publicly reprimanded, because Weiss had disciplinary action taken against his license to practice the profession by the proper licensing authority of another state. (08-22-06)

Luther L. Wright, license no. MT181660, of Reading, Berks County, was assessed a \$5,000 civil penalty and his license was suspended for three years, immediately stayed in favor of probation. Wright was convicted of a felony in a federal court. (08-22-06)

Harvey Walter Brookman, license no. MD026946E, of Yardley, Bucks County, had his license to practice medicine and surgery revoked and was assessed a \$50,000 civil penalty for unprofessional conduct in the continued practice of medicine beyond the scope of his license. (08-23-06)

Alan J. Cohen, license no. MD036402E, of Oakland, Calif., permanently and voluntarily surrendered his license to practice medicine in PA. Cohen had disciplinary action taken against his license by the proper licensing authority of another state. (09-26-06)

Sammer I. Fahmy, license no. MD060762Y, of New York, N.Y., agreed to pay a \$1,000 civil penalty and have his license suspended until all terms

and conditions are removed from his N.Y. license. Fahmy had disciplinary action taken against his license by the proper licensing authority of another state and failed to report to the board within 60 days of the occurrence of the disciplinary action taken against him by the proper licensing authority of the other state. (09-26-06)

Michele Joanne Lea-Stokes, license no. MD043845L, of Lebanon, Lebanon County, was assessed a \$1,000 civil penalty and ordered to enroll in and successfully complete a two-day, on-site, medical record keeping course approved by the prosecuting attorney; and within one year of the board approving the consent agreement, must successfully complete the 30 hours of continuing medical education ordered by the TX Board on April 8, 2005, in addition to completing the required continuing medical education necessary to maintain an active license to practice medicine and surgery in Pa. Lea-Stokes was disciplined by the board because she had disciplinary action taken against her license to practice medicine by the proper licensing authority of another state. (09-26-06)

David Paul Nichols, license no. MD02476E, of Lockport, N.Y., had a public reprimand placed on his permanent board record because Nichols had disciplinary action taken against his license to practice

the profession by a proper licensing authority of another state. (09-26-06)

Willis W. Willard, III, license no. MD007896E, of Carlisle, Cumberland County, was permanently and voluntarily surrendered his medical license. Willard engaged in immoral or unprofessional conduct by prescribing medications to individuals with whom he had no physician-patient relationship. (09-26-06)

Jonathan D. Ralph, license no. MD020015E, of Plantation, Fla., was assessed a \$2,500 civil penalty because Ralph had a license or other authorization to practice the profession revoked or suspended by a proper licensing authority of another state, territory, possession or country or branch of the federal government. (09-26-06)

Bruce William Rogers, license no. MD036306E, of Clayton, N.C., agreed to the suspension of his license until all terms and conditions are removed from his N.C. license. Rogers had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by the proper licensing authority of another state. (09-26-06)

David J. Schopick, license no. MD033988E, of Portsmouth, N.H., was assessed a \$1,000 civil penalty. Schopick had

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disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. (09-26-06)

James J. Schuster, license no. MD049838L, of Fredericksburg, Va., was assessed a \$1,000 civil penalty. Schuster failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that was filed against him. (09-26-06)

Brenda C. Scribner, license no. MD047576L, of Easton, Northampton County, had her license suspended for a minimum of three years, immediately stayed in favor of probation, subject to terms and conditions. Scribner had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against her by the proper licensing authority of another state. (09-26-06)

Scott A. Steinmetz, license no. MD047604L, of Lutherville, Md., has agreed to the permanent and voluntary surrender of his license to practice medicine and surgery in Pa. Steinmetz had disciplinary action taken against his license by the proper licensing authority of another state. (09-26-06)

Benson E. Timmons, IV, license no. MD049229L, of

Gastonia, N.C., was assessed a \$2,000 civil penalty. Timmons had disciplinary action taken against his license in another state and failed to report disciplinary action instituted against him by a licensing authority of another state. (09-26-06)

Anthony A. Virella, license no. MD066258L, of Manhattan Beach, Calif., was assessed a \$2,000 civil penalty. Virella had disciplinary action taken against his license in another state or territory and failed to report disciplinary action instituted against him by a licensing authority of another state, territory or possession of the US, another country or a branch of the federal government, within 60 days of its occurrence. (09-26-06)

Fernando Jesus Martinez, license no. MD033200E, of Metairie, La., was indefinitely suspended, with the suspension immediately stayed in favor of probation. Martinez had disciplinary action taken against his license by the proper licensing authority of another state. (09-29-06)

Robert A. Smith, license no. MD0269395L, of Devens, Mass., was automatically suspended based on the fact that he pled guilty to dispensing and distributing a controlled substance, a felony under the Controlled Substance, Drug, Device and Cosmetic Act. (09-29-06)

Kathleen Flaherty-Behlke, license no. PN081810L, of Honesdale, Wayne County, was denied reinstatement of her professional nursing license based on her failure to provide documentary record of her treatment and rehabilitation and current status of recovery. (10-03-06)

Krikor Krikorian, license no. MD038661E, of Los Angeles, Calif., was revoked based on findings he had disciplinary action against his license by the proper licensing authority of another state. (10-05-06)

Sarah Wilks, license nos. RN522574L, of Pittsburgh, Allegheny County, was indefinitely suspended based upon her failure to submit to a mental and physical examination. (10-12-06)

Anne Marie Campbell, license no. PN069675L, of Havertown, Delaware County, was assessed a \$1,000 civil penalty based on her willful or repeated practice of practical nursing without a valid current license. (10-16-06)

Kleper Newton De Almeida, license no. MD060927L, of Atlantis, Fla., was assessed a \$250 civil penalty based on findings he had disciplinary action against his license by the proper licensing authority of another state. (10-16-06)

Babubhai P. Patel, license no. MD041357E, of Addison, Ill., had his license revoked based on findings he had disciplinary action was taken against his license to practice medicine by the proper licensing authority in Ill. and IA, he failed to notify the board within 60 days of the occurrence of the disciplinary actions in Ill. and IA and he was convicted of a felony. (10-18-06)

Charles Robert Howsare, license no. MD070630L, of Bedford, Bedford County, was suspended for three years, with one year active suspension and the remaining two years stayed in favor of probation based on findings he violated the terms of his Voluntary Recovery Program agreement. (10-19-06)

Rufus Cleveland Lewter, Jr., license no. MD028850L, of Moreno Valley, Calif., was revoked based on his license to practice medicine being disciplined by the proper licensing authority of another state. (10-19-06)

James R. Zimmerman, license no. MD424053, of Atlanta, Ga., was assessed a \$500 civil penalty based on findings he had disciplinary action taken against his license to practice medicine by the proper licensing authority of the state of Ga.. (10-23-06)

Abdul-Aziz Alhassan, license no. MD061713L, of Houston, TX, had his license indefinitely suspended, immediately stayed in favor of probation, subject to terms and conditions. Alhassan had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken against his license by a proper licensing authority of another state. (10-24-06)

Jude T. Barbera, license no. MD037242E, of New York, N.Y., agreed to the voluntary and permanent surrender of his license to practice medicine in Pa. Barbera had a license to practice the profession suspended by the proper licensing authority of another state. (10-24-06)

Curtis J. Bauer, license no. YM005372L, of Hershey, Dauphin County, was ordered to voluntarily and permanently surrender his license. Bauer was unable to practice the profession with reasonable skill and safety to patients by reason of illness, addiction to drugs or alcohol. (10-24-06)

John Arthur Baxter, license no. MD012580E, of State College, Centre County, agreed to the issuance of an order in which Baxter was reprimanded and paid a \$1,000 civil penalty. Baxter departed from or failed to conform to an ethical or quality standard of the profession by prescribing narcotics without a complete physical exam, without review of a

medical record, and without documentation in the medical record. (10-24-06)

Stephen C. Belich, license no. MD016129E, of Bridgewater, Beaver County, had a public reprimand placed on his board record, and was ordered to complete eight credit hours of focused continuing medical education in interventional radiology within one year of the board's adoption of the consent agreement and order. Belich practiced negligently by failing to properly insert, or recognize the improper insertion of a vena cava filter. (10-24-06)

Jay Leonard Federman, license no. MD009276E, of Bala Cynwyd, Montgomery County, was assessed a \$1,000 civil penalty. Federman failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against him. (10-24-06)

Steven A. Field, license no. MD013637E, of Brandon, Fla., has consented to an immediate and permanent voluntary surrender of his license to practice medicine and surgery in the commonwealth. Field had discipline imposed on his license by the proper licensing authority of another state. (10-24-06)

Gatti Medical Supply, Inc., of Indiana, Indiana County, was assessed a \$5,000 civil penalty because it engaged

in conduct that constituted the unauthorized practice of medicine. (10-24-06)

Wilbert R. Jones, license no. MD417431, of Phoenix, Ariz., agreed to an order by the board which put his license to practice medicine in Pa. on probation until all terms, conditions and limitations placed on his license to practice in Ariz. have been removed. Jones had disciplinary action taken against his license by the proper licensing authority of another state. (10-24-06)

John G. Kauderer, license no. MD011815E, of East Stroudsburg, Monroe County, was ordered to voluntarily and permanently surrender his license because Kauderer has been charged with drug law violations relating to his practice of medicine. (10-24-06)

Lawrence E. Mumie, license no. MD029446E, of Hazleton, Luzerne County, was suspended for six months, immediately stayed in favor of probation subject to terms. Mumie violated the Healthcare Service Malpractice Act. (10-24-06)

Harcharan S. Narang, license no. MD058763L, of Houston, TX, was assessed a \$1,000 civil penalty. Narang's license or other authorization to practice the profession was revoked or suspended or other disciplinary action was taken against Narang by the proper

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licensing authority of another state. (10-24-06)

Winslow C. Nicholas, license no. MD026306L, of State College, voluntarily and permanently surrendered his license. Nicholas is unable to practice medicine with reasonable skill and safety to patients by reason of illness, addiction to drugs or alcohol or mental impairment. (10-24-06)

Michael D. Stadiem, license no. MD037342L, of Cary, N.C., was assessed a \$1,000 civil penalty and must provide proof of compliance with the terms of the N.C. consent order. Stadiem had disciplinary action taken against his license to practice the profession by the proper licensing authority of another state. (10-24-06)

Douglas Stahl, certificate no. YM005018L, of Wilkes-Barre, Luzerne County, was indefinitely suspended based on findings Stahl was convicted of a felony. (10-30-06)

Ana Y. Valdivia, license no. MD070374L, of Larchmont, N.Y., was assessed a \$2,500 civil penalty. Valdivia continued to practice while her license to practice as a physician and surgeon was expired. (10-24-06)

Robert B. Warr, license no. MD049028L, of Texarkana, TX, was indefinitely suspended until Warr can provide evidence of the TX

Board of Medicine's formal decision to rescind its order and reinstate Warr's TX medical license on an unrestricted basis. Warr had a license or other authorization to practice the profession suspended by the proper licensing authority of another state. (10-24-06)

David Fowler Burke, license no. MD-037534E, of Muscle Shoals, Ala. and Norcross, Ga., was indefinitely suspended until such time as he provides documentary evidence to the board that the Va. Board of Medicine has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (10-25-06)

Deepak Natwarial Kapadia, license no. MD049967L, of Hanson, Ky., was suspended until such time as he provides documentary evidence to the board that the N.J. State Board of Medical Examiners has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (10-25-06)

Mani Nambiar, license no. MD035348E, of Hemet, Calif., was suspended until such time as he provides

documentary evidence to the board that the Calif. Medical Board has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (10-25-06)

Allan Zubkin license no. MD024839E, of Clermont, Fla., was assessed a \$1,000 civil penalty and indefinitely suspended until such time as he provides documentary evidence to the board that all conditions set forth in the Fla. board's final order have been satisfied, and provides the board with a copy of Zubkin's physician's assessment; the suspension was stayed in favor of probation based on his license being disciplined by the proper licensing authority of another state and his failure to report that action to the board. (10-25-06)

Ernest Hilton Phipps, license no. MD054016L, of Howell, N.J., was indefinitely suspended until such time as he provides documentary evidence to the board that the N.J. State Board of Medical Examiners has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being

disciplined by the proper licensing authority of another state. (10-26-06)

Arthur J. Schatz, license no. MD009655E, of Aventura, Fla., was suspended until such time as he provides documentary evidence to the board that the Fla. Medical Board has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (10-27-06)

John D. Zelem of Irving, TX, was denied a license to practice medicine based on his having practiced medicine in another state in a manner that departs from a quality standard of the practice. (10-31-06)

Robert Thomas Mitrione, license no. MD044590E, of Springfield, Ill., was suspended for two years, with all but the first six months stayed in favor of probation, based on his conviction of two felony offenses. (11-02-06)

Dennis M. Scardigli, license no. MD054106L, of Philadelphia, Philadelphia County, had his medical license placed on probation until his NJ license is reinstated without restriction, and was assessed a \$10,000 civil penalty based on findings disciplinary action was taken against his license to practice medicine by the proper

licensing authority of another state. (11-02-06)

De Nguyen, license no. MD027203E, of Orlando, Fla., was indefinitely suspended until such time as he provides documentary evidence to the board that the Fla. Medical Board has reinstated his license to practice medicine without restriction in that state, based on his license to practice medicine being disciplined by the proper licensing authority of another state. (11-03-06)

Emmanuel P. Osorio, license no. MD032280L, of Abington, Montgomery County, was suspended by the Montgomery County Court of Common Pleas on Oct. 12, 2006. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (11-03-06)

Robin Lynn Eicker, license no. YM004386L, of Harrisburg, Dauphin County, had her license revoked based on her having been convicted of a felony in federal court. (11-20-06)

Michael Gustavo Franco, license no. MD064281L, of Sherman Oaks, Calif., was given a public reprimand for having disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. (11-20-06)

Paul Victor Beals, license no. MD011757E, of Washington, D.C., agreed to a permanent,

Disciplinary Actions

voluntary surrender of his license to practice medicine and surgery in PA because he had a license to practice medicine and surgery disciplined by the proper licensing authority of another state. (11-28-06)

Colleen K. Ebbert, license no. MD056817L, of Pittsburgh, Allegheny County, was assessed a \$1,000 civil penalty. Ebbert failed to report to the board within 60 days of receipt of notice of a complaint in a medical professional liability action that is filed against her. (11-28-06)

Isaac Eisenstein, license no. MD035129L, of Norwalk, Calif., was suspended for a period of three years, immediately stayed in favor of three years of probation. Eisenstein had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken by a proper licensing authority of another state, territory, possession or country or branch of the federal government. (11-28-06)

Geoffrey S. Fidelman, license no. MA002195L, of Danville, Montour County, was suspended for no less than three years, immediately stayed in favor of no less than three years probation with terms and conditions, including his successful participation in

the Disciplinary Monitoring Unit of the Professional Health Monitoring Programs. Fidelman pled guilty to a misdemeanor violation of the Controlled Substance, Drug, Device and Cosmetic Act and is unable to practice as a physician's assistant with reasonable skill and safety to patients by reason of addiction to drugs or alcohol. (11-28-06)

Jia Guo, license no. AK000186L, of Bryn Mawr, Montgomery County, was ordered to pay a \$2,500 civil penalty because Guo improperly used the designations "Dr." and "M.D." in print advertising, on business cards and/or on the Internet. (11-28-06)

Glen E. Johnson, license no. RT001236A, of Lewisberry, York County, was assessed a \$500 civil penalty. Johnson continued to practice as an athletic trainer while his certificate to practice was expired. (11-28-06)

Jeffrey I. Livovich, license no. MD045441E, of Scottsdale, Ariz., was indefinitely suspended for no less than five years, retroactive to Feb. 10, 2005, immediately stayed in favor of no less than five years of probation, subject to terms and conditions. Livovich is unable to practice the profession with reasonable skill and safety to patients by reason of illness, addiction

to drugs or alcohol; and he has had a license or other authorization to practice the profession revoked or suspended or had other disciplinary action taken, or an application for a license or other authorization refused, revoked or suspended by a proper licensing authority of another state, territory, possession or country, or a branch of the federal government. (11-28-06)

Kelly E. MacIsaac, license no. PN152592L, of Erie, Erie County, was suspended for no less than three years, retroactive to Oct. 10, 2006, based on findings that she is unable to practice nursing with reasonable skill and safety to patients by reason of addiction to alcohol or other drugs which tend to impair judgment or coordination. (11-28-06)

Herman Mathias, license no. MD039550L, of Hemet, Calif., had a public reprimand placed on his permanent board record. Mathias had disciplinary action taken against his license to practice medicine by the Calif. Medical Board. (11-28-06)

Prahlad Manibhai Patel, license no. MD044968E, of Williamstown, N.J., was ordered to surrender his license for a period of two years, immediately stayed in favor of probation. Patel had disciplinary action taken against his license to practice

the profession by a proper licensing authority of another state. (11-28-06)

Paul H. Pevsner, license no. MD042882E, of New York, N.Y., had a public reprimand placed on his permanent record, paid a \$7,500 civil penalty and was suspended for five years, the first two years to be served as an active suspension retroactively commencing on July 1, 2005, and the remainder of the suspension to be stayed contingent upon Pevsner's compliance with all of the terms of the N.J. order and full payment of the \$7,500 civil penalty. Pevsner must comply with the terms of the N.J. consent agreement and submit proof of his completion of all of the terms and conditions. Pevsner had disciplinary action taken against his license by the proper licensing authority of another state. (11-28-06)

Vance A. Raham, license no. MD053344L, of Connersville, Ind., had a public reprimand placed on his permanent board record, and his license to practice medicine and surgery was put on probation until all terms, conditions and limitations placed on his Ind. license have been removed. Raham had disciplinary action taken against his license to practice

medicine by a proper licensing authority of another state, and failed to report information regarding that disciplinary action to the board within 60 days. (11-28-06)

Hossein Samai, license no. MD033988E, of Canaan, Conn., had a public reprimand placed on his permanent board record, and must abide by all the terms and conditions of the State of Conn. consent order. Samai had disciplinary action taken against his license to practice medicine by the proper licensing authority of another state. (11-28-06)

Bijai B. Singh, license no. MD016002E, of Indiana, Indiana County, had a public reprimand placed on his board record, and must complete 12 credit hours of remedial education in the evaluation and treatment of diabetes, with emphasis on inpatient care of diabetic patients for failure to conform to quality standards and/or accepted standards of care in the profession. (11-28-06)

Stephen E. Slatkin, license no. MD048722L, of Easton, Md., agreed to a voluntary and permanent surrender of his license to practice medicine in Pa. Slatkin failed to maintain a proper relationship with a patient and used improper physical contact with a patient and was disciplined by the proper licensing authority of another

state. (11-28-06)

John D. Wylie of Haverford, Montgomery County, a "natural pharmacist," was assessed a \$10,000 civil penalty; ordered to immediately cease and desist from holding himself out in any way as being authorized to practice medicine. Wylie practiced and/or purported to practice medicine and surgery in Pa. without being licensed to do so. (11-28-06)

Michael Yuz, license no. MD422104, of Shavertown, Luzerne County, was assessed a \$1,000 civil penalty, a public reprimand was placed on his board record. Yuz must comply fully with the probationary terms of his NY order; failure to do so will constitute a violation of Pa.'s order and result in further disciplinary action. Yuz had his license to practice medicine disciplined by the proper licensing authority of another state. (11-28-06)

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